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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

SONYA RENEE, et al.,
Plaintiffs,

v.

MARGARET SPELLINGS, et al.,
Defendants.

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United States Attorney
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Case No. 3:07-cv-04299-PJH

**STIPULATION OF DISMISSAL OF
CLAIMS OF PLAINTIFF N. DOE**

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Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and consistent with the Court's order dated February 8, 2008 (Docket No. 58), the parties to the above-entitled action jointly file this Stipulation of Dismissal of Claims of Plaintiff N. Doe. Dismissal of a party by stipulation in accordance with Rule 41 is an appropriate and efficient mechanism for dropping a party from an action. *See* Schwarzer, Tashima & Wagstaffe, CAL. PRAC. GUIDE: FED. CIV. PRO. BEFORE TRIAL (The Rutter Group, 1996), ¶ 8:368. Plaintiff N. Doe has elected not to reveal her true identity and thereby will not proceed as an individual plaintiff in this action. Consistent with the Court's order, N. Doe wishes to remain in this action, under her fictitious "Doe" designation, as *guardian ad litem* for minor plaintiff B. Doe.

The parties agree that all of the claims of N. Doe against defendants Secretary of Education Margaret Spellings and the United States Department of Education, made in her capacity as an individual plaintiff, are hereby dismissed without prejudice pursuant to FRCP 41(a)(1)(A)(ii).

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1 So stipulated.

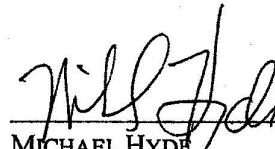
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3 Date: February 21, 2008

By:


JOHN T. AFFELDT
Attorney for Plaintiff N. Doe

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7 Date: February 21, 2008

By:


MICHAEL HYDE
Attorney for Defendants

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11 **ORDER**

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13 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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16 Date: February ____, 2008

By:

JUDGE PHYLLIS J. HAMILTON
United States District Court